

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

BILLY JOE CHAMBERS,

Plaintiff,

Case No. 2:10-cv-367

v.

HON. ROBERT HOLMES BELL

MICHIGAN DEPARTMENT OF
CORRECTIONS, *et al.*,

Defendants.

/

**ORDER APPROVING AND ADOPTING
REPORT AND RECOMMENDATION**

On February 16, 2012, Magistrate Judge Timothy P. Greeley issued a Report and Recommendation (“R&R”) recommending that Defendant Prison Health Services, Inc.’s motion for summary judgment (Dkt. No. 20) be granted, and that Plaintiff’s claims against Defendant Prison Health Services, Inc. be dismissed. (Dkt. No. 36.) Plaintiff has not filed any objections, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation on Defendant Prison Health Services, Inc.’s motion.

Although the R&R addresses Prison Health Services, Inc.’s motion, Defendant Jeffrey Stieve objects to the final line in the Magistrate Judge’s opinion, which states that “Plaintiff’s claims against Defendant Stieve and Defendant Medical Director of MDOC Bureau of Health Care Services remain in this case.” (Dkt. No. 36 at 5.) Defendant Stieve argues that he should not continue as a defendant and, additionally, that he and the “Medical Director

of MDOC of Health Care Services" are the same person and thus are improperly named twice. Upon review, the Court finds that the language objected to by Defendant Stieve is simply intended to clarify that the Magistrate Judge's report is directed solely at Defendant Prison Health Services, and has no bearing on other Defendants. The R&R makes no substantive discussion or determination regarding Defendant Stieve, and the Court is not presently in a position to consider the request for relief sought in Defendant Stieve's objection. Defendant Steive is free to seek clarification of his status or dismissal of Plaintiff's claims by way of motion. Accordingly,

IT IS HEREBY ORDERED that the February 16, 2012, R&R (Dkt. No. 36) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Defendant Prison Health Services, Inc.'s motion (Dkt. No. 20) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's claims against Defendant Prison Health Services, Inc. are **DISMISSED**.

IT IS FURTHER ORDERED that Plaintiff's motions for extension of time (Dkt. No. 27) and for a Martinez Report (Dkt. No. 26) are **DENIED**.

Dated: March 9, 2012

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE